

Texas Workforce Commission

Member of the Texas Workforce Network

Diane D. Rath, Chair
Commissioner Representing
the Public

Ron Lehman
Commissioner Representing
Employers

Ronald G. Congleton
Commissioner Representing
Labor

Larry E. Temple
Executive Director

January 27, 2004

Mr. Joseph Juarez
Regional Administrator, Region IV
U.S. Department of Labor
Employment and Training Administration
A. Maceo Smith Federal Building
525 Griffin Street, Rm. 317
Dallas, Texas 75202

Dear Mr. Juarez:

The Texas Workforce Commission (TWC) submitted to the U.S. Department of Labor (DOL) requests for waivers of statutory and regulatory requirements under the Workforce Investment Act (WIA) and received approval for the following five waivers that:

- Changed the 50 percent employer match for customized training to a match based on a 10 to 50 percent sliding scale;
- Eliminated the 20 percent limitation on transfer of funds between the Adult and Dislocated Worker programs, allowing unlimited transfer of funds between these two programs;
- Removed the requirement for competitive procurement of training providers for Older Youth (19-21) and Out-of-School Youth to allow Boards the option of using the Eligible Training Provider List to secure training providers for these two youth populations;
- Extended the period of initial eligibility of training providers through Program Year 2003 ending June 30, 2004; and
- Designated only "up to 10 percent" of a Board's adult, dislocated worker, and youth formula allocations for use as local activity funds.

The waiver of these requirements gives Local Workforce Development Boards (Boards) the greatest possible flexibility to design and deliver services that meet the needs of employers and job seekers in their local workforce development areas (workforce areas). With WIA reauthorization pending, the approved waivers continue to be a vital part of the improvement of service delivery to our customers.

DOL approved the first four waivers on January 3, 2003, followed by the fifth waiver on August 19, 2003. Boards choosing to implement the waivers were required to adopt local policy regarding specific implementation in their workforce areas. However, because the waivers have been in effect for only a short period of time, we do not have enough data on which to evaluate progress made since implementation.

DOL's guidance stated that the approved waivers would remain in effect for the length of the State's approved WIA Plan, or up to five years. Because early implementing states are receiving plan extensions, we are requesting an extension of the approved waivers to June 30, 2005, thus allowing Texas to continue its forward momentum in workforce development.

We appreciate your consideration of our request for an extension of the approved waivers. If you have any questions or require additional information, please contact Luis M. Macias, Director, Workforce Development Division at (512) 936-0697 or at luis.macias@twc.state.tx.us.

Sincerely,



Larry E. Temple
Executive Director

mc: Diane Rath, Chair and Commissioner Representing the Public
Ron Lehman, Commissioner Representing Employers
Ronald G. Congleton, Commissioner Representing Labor
Gene Crump, Jr., Deputy Executive Director
Luis M. Macias, Director, Workforce Development